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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bichel et al.
Serial No.: 10/067,145 ✓
Confirmation No.: 4799
Filing Date: February 4, 2002
For: APPARATUS AND METHOD OF SOFT SORTING
FRUITS AND VEGETABLES
Examiner: Joseph C. Rodriguez
Group Art Unit: 3653

FACSIMILE COVER PAGE

DATE: February 27, 2004

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Joseph C. Rodriguez

FAX: (703) 872-9306

FROM: Joseph W. Byrne, Registration No. 43,522

TOTAL NUMBER OF PAGES (including this one): 18

If you do not receive all the pages, please call Joseph Byrne at 608-283-1733.

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Patent Application
Attorney Docket No. 25092-13

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CERTIFICATE OF TRANSMISSION BY FACSIMILE
(37 C.F.R. § 1.8(a))

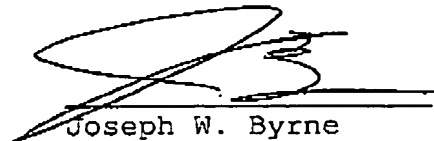
I hereby certify that the following documents:

- (1) Transmittal of Election in Response to Restriction Requirement and Request for Reconsideration and Withdraw or Modification of the Requirement, (in duplicate), 2 pages;
- (2) Election in Response to Restriction Requirement and Request for Reconsideration and Withdraw or Modification of the Requirement, 10 pages; and
- (3) Petition for Extension of Time Under 37 C.F.R. § 1.136(a), Form PTO/SB/22, (in duplicate), 1 page

related to the above-referenced Patent Application are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on February 27, 2004.

Date:

February 27, 2004



Joseph W. Byrne

Reg. No. 43,522

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Page 1 of 1

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VIA FACSIMILE (703) 872-9306

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Joseph C. Rodriguez

TRANSMITTAL OF ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT
AND REQUEST FOR RECONSIDERATION

Sir:

The following items are attached:

In response to the Restriction Requirement of August 27, 2003 in the above-identified patent application, enclosed herewith is an Election in Response to Restriction Requirement and Request for Reconsideration.

A Petition for Extension of Time Under 37 C.F.R. § 1.136(a) requesting a five (5) month extension for filing the Election. If additional extensions of time are required, consider this a petition therefor.

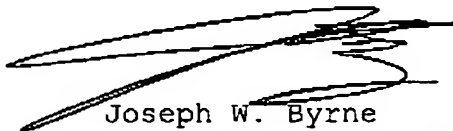
Transmittal of Election in Response to Restriction Requirement
and Request for Reconsideration

Page 1 of 2

Patent Application
Attorney Docket No.: 25092-13

The Commissioner is hereby authorized to charge any required fees to deposit account no. 02-2850. The required fees include \$740.00 for the petition fee set forth in 37 C.F.R. § 1.17(a)(4). The Commissioner is also hereby authorized to charge any deficiency or credit any overpayment in any required fees to deposit account no. 02-2850. For this purpose, a duplicate of this transmittal letter is attached.

Respectfully submitted,



Joseph W. Byrne
Registration No. 43,522

Dated: February 27, 2004

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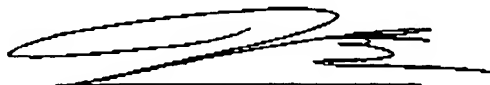
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Date:

February 27, 2004



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Reg. No. 43,522

Transmittal of Election in Response to Restriction Requirement
and Request for Reconsideration

Page 2 of 2